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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,943	08/21/2001	Gaku Minamihaba	04329.2622	5394

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Washington, DC 20005-3315

EXAMINER
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LEE, HSIEN MING

ART UNIT	PAPER NUMBER
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2823

DATE MAILED: 04/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/932,943

Applicant(s)

MINAMIHABA ET AL.

Examiner

Hsien-Ming Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 18-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-21, 23, 25-28, 30 and 32-34 is/are rejected.
- 7) ☒ Claim(s) 22, 24, 29, 31 and 35-37 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Remarks*

1. Applicants' RCE filling request is acknowledged.
2. Claims 18-37 are pending in the application.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-21, 23, 25-28, 30 and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishimura et al. (US 6,332,835) in view of Hattori (EP 1-123956) and Hudson (US 6,407,000).

In re claims 18-21, 23, 25, 30, 32, Nishimura et al. teach the claimed method of manufacturing a semiconductor device, which comprises:

- forming a wiring groove 103 on a surface of an insulating film 102 formed above a semiconductor substrate 100 (Fig. 12D);
- depositing a conductive material film 104/105 (i.e. a wiring material film such as copper 105, col. 12, lines 34-37) on a surface of said insulating film 102 including an inner surface of said wiring groove 103 (Fig. 12E), wherein the conductive material film 104/105 is a laminate film, wherein 104 is a barrier film TiN and Ti and 105 is a wiring film, copper; and

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- subjecting said conductive material film 104/105 to a chemical mechanical polishing by making use of a slurry for chemical mechanical polishing, which contains polishing particles comprising first colloidal silica (i.e. SiO<sub>2</sub>) particles whose primary particles have a diameter ranging from 1 to 300 nm, and second colloidal silica particles whose primary particles have a diameter ranging from 3 nm to 1,000 nm (col. 8, lines 11-16), to remove said conductive material film 104/105 excluding a conductive material film portion which is buried in said wiring groove 103 (Fig. 12F).

Nishimura et al. do not teach that the weight ratio of the first colloidal silica particles is in the range of 0.6 to 0.9 based on a total weight of said first and second colloidal silica particles.

Hattori, however, in an analogous art of using CMP for polishing metal material (paragraphs [0008], [0054]), teach utilizing a slurry comprising first colloidal silica particles whose primary particles have a diameter ranging from 5 to 100 nm, and second colloidal silica particles whose primary particles have a diameter ranging from 10 nm to 100 nm (paragraphs [0027], [0029]). Hattori further teach that the etching rate can be adjusted by adjusting composition of the slurry (paragraph [0056]), to avoid dishing (paragraph [0006]) and to achieve a good balance between chemical etching and mechanical polishing performance (paragraph [0112]).

In addition, Hudson in an analogous art of chemical mechanical polishing (CMP) process also teach utilizing a bi-modal slurry for planarizing a conductive layer, wherein the slurry comprising *first colloidal silica* particles whose primary particles have a diameter ranging from *0.010  $\mu$ m (10 nm) to 0.050  $\mu$ m (50 nm)*, and *second colloidal silica* whose primary particles have a diameter larger than 20 nm (i.e. *0.070 ~0.400  $\mu$ m*) (col. 7, lines 10-15), wherein the weight ratio of the first colloidal silica particles is in the range of *0.6 ~ 0.9* based on a total weight of

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said first and second silica colloidal particles, as illustrated in Fig. 4, wherein 290 represents the size distribution of the first colloidal silica particles and 280 represents the size distribution of the second colloidal silica particles; and the ratio of 290 to 280 is within the range of 0.6~0.9.

Therefore, it would have been obvious to one of the ordinary skill in the art, at the time the invention was made, to optimize the slurry composition of Nishimura et al. in considerations of avoiding dishing and better polishing performance, as suggested by Hattori and Hudson, so that the weight ratio of the first colloidal silica particles is in as desired range, since by this manner it would improve the CMP performance.

In re claim 26, Nishimura et al. do not teach that said polishing particles are incorporated in said slurry at a ratio of 0.5 to 5% by weight.

Hattori, however, teaches that the content of colloidal silica is 0.05~20 % by weight (paragraph [0034]).

Therefore, it would have been obvious to one of the ordinary skill in the art, at the time the invention was made, to optimize the colloidal silica percentage of the slurry in Nishimura et al. with a desired range, as suggested by Hattori, since by this manner it would achieve a good polishing performance by choosing the desired percentage of colloidal silicon in the slurry (paragraph [0034], Hattori).

In re claims 27 and 33, Hattori teaches that the slurry contains an oxidizing agent (paragraph [0048]) and an oxidation inhibitor, i.e. a base (paragraph [0050]), which would remedy the deficiency in Nishimura et al. Therefore, it would have been obvious to one of the ordinary skill in the art, at the time the invention was made, to include the oxidizing agent and the oxidation

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inhibitor, as taught by Hattori, in Nishimura et al., since by this manner it would achieve a good polishing slurry composition.

In re claims 28 and 34, Hattori teaches that the slurry contains a surfactant (paragraph [0052]), which would remedy the deficiency in Nishimura et al. Therefore, it would have been obvious to one of the ordinary skill in the art, at the time the invention was made, to include the surfactant, as taught by Hattori, in Nishimura et al., since by this manner it would achieve a good polishing performance (paragraph [0053], Hattori).

***Allowable Subject Matter***

5. Claims 22, 24, 29, 31 and 35-37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record neither teaches nor suggests that the slurry includes *third* particles formed of a material *different* from those of the first and second colloidal silica particles (claims 22 and 36); the surfactant is dodecyl benzene sulfonate (claims 29 and 35); and the third particles are colloidal alumina particles (claims 31 and 37).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hsien-Ming Lee whose telephone number is 571-272-1863. The examiner can normally be reached on M-F (9:00 ~ 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on 571-272-1855.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hsien-Ming Lee  
Examiner  
Art Unit 2823

April 16, 2004

